

# MANDATE

S.D.N.Y.-N.Y.C.  
15-cv-3458  
Woods, J.

United States Court of Appeals  
FOR THE  
SECOND CIRCUIT

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 7<sup>th</sup> day of March, two thousand seventeen.

Present:

Robert A. Katzmann,  
*Chief Judge,*  
Rosemary S. Pooler,  
Gerard E. Lynch,  
*Circuit Judges.*

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
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DATE FILED: April 12, 2017

James Forbes,

*Plaintiff-Appellant,*

v.

16-4072

John Doe, Arresting Officer cr I.D. Shield #937424,  
City of New York, Sergeant Patrick Romain, Shield #5132,

*Defendants-Appellees,*

New York City Police Department,

*Defendant.*

Appellant, pro se, moves for leave to proceed in forma pauperis. Upon due consideration, it is hereby ORDERED that the motion is DENIED and the appeal is DISMISSED because it “lacks an arguable basis either in law or in fact.” *Neitzke v. Williams*, 490 U.S. 319, 325 (1989); *see also* 28 U.S.C. § 1915(e).

FOR THE COURT:  
Catherine O’Hagan Wolfe, Clerk

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United States Court of Appeals, Second Circuit

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MANDATE ISSUED ON 04/12/2017